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INFO AMEMBASSY BEIJING  
AMCONSUL DUBAI

S E C R E T STATE 010690

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TAGS: [CH](#) [KIRF](#) [KISL](#) [PHUM](#) [PREF](#) [PREL](#)

SUBJECT: ADDRESSING PROTECTION CONCERNS OF UIGHUR ASYLUM  
SEEKER IN THE UNITED ARAB EMIRATES

REF: A) 07 STATE 1477833 (NOTAL) B) 07 STATE 125554 (NOTAL)  
C) 07 STATE 107177 (NOTAL)

Classified By: NEA DAS Gordon Gray for reasons 1.4(b) and (d)

[1](#)1. (U) This is an action request. Please see paragraphs  
three and four.

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SUMMARY  
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[1](#)2. (C) The Department requests the Embassy ask  
the Government of United Arab Emirates (UAE) not to return Chinese Uighur Muslim Abduhalik Nazar to China without appropriate consideration of his asylum claim. The Embassy should also inform the UAE that the USG is willing to consider Nazar for refugee resettlement in the United States. Finally, the Department requests that the Embassy meet with a local representative of the UNHCR to seek information about Nazar's whereabouts and his asylum claim, and to reiterate that the USG is willing to consider a UNHCR referral of Nazar for U.S. refugee resettlement. Reports from a non-governmental human rights organization allege that the Government of China (PRC) sought Nazar's immediate forcible return to China when he recently sought asylum in Kuwait. Department is concerned that if forcibly returned he would likely be mistreated for his peaceful religious activities and could possibly be tortured or killed by authorities upon his return, given China's poor record on human rights vis-a-vis Uighurs. End summary.

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OBJECTIVES  
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[1](#)3. (U) The Department requests Embassy Abu Dhabi pursue the following objectives with appropriate interlocutors at UNHCR:  
-- Request any information they may have on the whereabouts of Nazar, whether he has been recognized by UNHCR under its mandate, and the likelihood that Nazar might be forcibly returned to China from the UAE.  
-- Reiterate that the USG is willing to consider a UNHCR referral of Nazar for U.S. refugee resettlement.  
-- Ask whether UNHCR will make such a referral.  
-- Note that the Embassy will raise this case with the Government of the UAE to signal our interest in the case and our concern that Nazar not be forcibly returned without proper UNHCR access.

[1](#)4. (U) The Department requests Embassy Abu Dhabi pursue the following objectives with appropriate interlocutors within the Government of the United Arab Emirates:  
-- Note that the USG is monitoring the case of asylum seeker Mr. Abduhalik Nazar.  
-- Ask the United Arab Emirates not to return

Nazar to China without allowing UNHCR access to him.

--Explain that the USG is willing to consider Nazar for U.S. refugee resettlement if UNHCR refers the case to the U.S.

--Explain that our concern is based on reports that the PRC requested Nazar's forcible return to China from Kuwait. On January 18, Nazar was sent from Kuwait to Dubai via Bangkok.

Mr. Nazar is a devout Muslim and we have heard reports that he was imprisoned for seven months for his peaceful religious activities in Xinjiang, China and that he was fired from a government position for continuing to publicly pray and profess his belief in Islam.

--Register concern that the forcible return of Nazar could place his life in imminent danger. The PRC has dealt harshly with Uighurs in the past, often subjecting them to denial of due process, torture, and even execution. For example, an Uighur Muslim named Ismail Semed was forcibly returned to China in 2003, imprisoned, and executed in February 2007.

--Note that religious freedom is a universal right for all individuals as set forth in the Universal Declaration of Human Rights.

15. (C) Given Nazar's tenuous status in the UAE, the Department requests Embassy Abu Dhabi engage the UAEG at the earliest possible opportunity. The Department requests that the Embassy report the results of its efforts by cable to DRL/IRF, PRM, and NEA by Tuesday, February 5.

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BACKGROUND  
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16. (C) The Uighur Human Rights Project (UHRP) informed the Department that Kuwaiti authorities detained Nazar at the Kuwait International Airport on or before January 7. According to UHRP, shortly afterwards, Chinese officials visited Nazar and questioned him about his travel documents and questioned him about his background. On January 17, Kuwaiti officials at the airport reportedly told Nazar that Kuwait would send him back to China, forcibly if necessary, and that he should choose a city in China to which he would be sent. The State Department Bureau of Population, Refugees and Migration (PRM), which is the office in charge of refugee matters, has been in contact with the United Nations High Commissioner for Refugees (UNHCR) on this case. UNHCR's protection staff in Kuwait met with Nazar and with Kuwaiti authorities regarding his case. UNHCR was able to secure a one week delay in his deportation. However, before the one week expired, Nazar was sent to Bangkok and while transiting he managed to obtain a UAE visa and flew to Dubai. PRM is willing to consider a UNHCR referral or an Embassy-issued P-1 referral to consider Nazar for U.S. resettlement through the U.S. Refugee Admissions Program.

17. (C) UHRP reported that in 2007 Uighur Muslims were forcibly returned to the PRC from Pakistan (ref C) and Kazakhstan. In the summer and fall of 2007, the PRC reportedly approached the governments of the Netherlands, Australia, Kyrgyzstan, Egypt, and Saudi Arabia for the forcible return of Uighur Muslims residing in these countries. The Department delivered demarches to these governments and urged

them not to refoule Uighur Muslims to China (ref B). Department also delivered demarches to the United Nations High Commissioner for Human Rights, the UN Special Rapporteur on Religious Freedom and the UN Special Rapporteur on Torture and requested them to raise the Department's concerns with the Government of China and the governments which China asked to refoule Uighur Muslims. (ref A). Department also delivered a demarche to the PRC (ref C) and asked about the welfare and whereabouts of a Uighur Muslim who had protested against the Saudi embassy's denial of hajj visas to Uighur Muslims in Islamabad. The Saudis denied the visas at the behest of the PRC. The PRC has not provided any information on the man's welfare and whereabouts.

18. (SBU) Uighurs who have been forcibly returned to China have been accused of engaging in activities deemed by the PRC as "separatist" or "terrorist," or accused of engaging in "illegal religious activities." Many have been denied due process, including access to proper legal representation and some have been subjected to torture and other forms of abuse, even execution. On the basis of such information and China's policy against returning individuals to countries where it is more likely than not that they would be tortured, the USG decided not to return Uighur Muslims detained in Guantanamo Bay to China.

19. (S) After Nazar fled China in 2004, he reportedly traveled to Pakistan and then Saudi Arabia where he lived for more than three years. According to UHRP, Saudi authorities arrested Nazar in August 2007 for being there illegally and planned to send him to China. Friends of Nazar persuaded Saudi officials to send him to Dubai instead where he stayed for a few months before traveling to Syria in an attempt to obtain a visa to Turkey. He was unable to obtain a visa to Turkey in Syria. He then flew to Pakistan (with a stopover in Kuwait) in the hopes of obtaining a Turkish visa there. However, Pakistani authorities denied him admission into the country and sent him back to Kuwait where he was detained. Other than traveling on a false passport, there is no information that Nazar has committed any other crimes or that China is formally charging him with any offenses.

110. (U) Should Nazar's forcible return result in his mistreatment, the UAEG will likely receive negative press and criticism from the U.S. Congress and the human rights and religious freedom communities. The treatment of Uighur Muslims in China is the focus of significant congressional and NGO interest.

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POINTS OF CONTACT  
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111. (SBU) Please contact DRL/IRF Randy Brandt at (202)647-1219 or DRL/IRF Emilie Kao at (202) 647-0352 or either of them via e-mail for any additional background, argumentation, or other information necessary to accomplish the objectives.

RICE  
NNNN